



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Pratt *et al.*

SERIAL NUMBER: 10/723,626

EXAMINER: James H. Alstrum-Acevedo

FILING DATE: November 26, 2003

ART UNIT: 1616

FOR: Buoyant Polymer Particles For Delivery Of Therapeutic Agents To The Central Nervous System

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION IN SUPPORT OF PRELIMINARY AMENDMENT TO INCLUDE
ESSENTIAL MATERIAL**

I, Ingrid Beattie, a practitioner representing Applicants in the above-identified application hereby declare and state as follows:

1. The above-identified application incorporates to two U.S. Patents (5,576,018 and 5,455,044) by reference at page 14, line 20. These patents disclose polymers and methods for their preparation.
2. U.S. Patents 5,576,018 and 5,455,044 also incorporate additional material by reference relating to biodegradable polymers. See e.g. 5,455,044 at Col 4, lines 2-3. Applicants have not relied on such additional material.
3. In an Amendment being filed herewith, Applicants have amended the specification to include the polymer compositions, polyamides and polyurethanes, which were incorporated by reference from the disclosure of 5,576,018 and 5,455,044 at Col. 3, lines 55-65. Reference to these patents has been removed from the specification in the above-referenced case.

4. In accordance with the provisions of MPEP §608.01(p)(2), the amendatory material presented in the Amendment consists of the same material from the 5,576,018 and 5,455,044 patents. No new matter has been added by the amendments presented in the Amendment.
5. As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

IABeattie

Declarant's Signature

3/7/06

Date

Full Name of Declarant: Ingrid A. Beattie, Reg. No. 42,306
(Practitioner Representing the Applicant)